

## United States District Court

DISTRICT OF Massachusetts

## SUMMONS IN A CIVIL ACTION

Hill Design, Inc.

V.

CASE NUMBER: 3:04-cv-30100

Roylco, Inc.

TO: (Name and Address of Defendant)

Roylco, Inc.  
3251 Abbeville Highway  
Anderson, SC 29624

YOU ARE HEREBY SUMMONED and required to file with the Clerk of this Court and serve upon

PLAINTIFF'S ATTORNEY (name and address)

Deborah A. Basile, Esquire (413) 733-3111  
Michael K. Callan, Esquire  
Doherty, Wallace, Pillsbury & Murphy, P.C.  
One Monarch Place  
Suite 1900  
Springfield, MA 01144

an answer to the complaint which is herewith served upon you, within \_\_\_\_\_ days after service of this summons upon you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint.

TONY ANASTAS

CLERK

DATE

7/2/04

BY DEPUTY CLERK

# RETURN OF SERVICE

Service of the Summons and Complaint was made by me <sup>1</sup>	DATE <u>July 9, 2004</u>
NAME OF SERVER <u>Prudence M. Greene</u>	TITLE <u>Paralegal for James M. Bagarazzi, Esq.</u>

Check one box below to indicate appropriate method of service

☐ Served personally upon the defendant. Place where served: \_\_\_\_\_

☐ Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein.

Name of person with whom the summons and complaint were left: \_\_\_\_\_

☐ Returned unexecuted: \_\_\_\_\_

☒ Other (specify): Defendant's Attorney agreed to accept service (per the attached copy of his letter) of the Summons and Complaint. The Summons and Complaint were sent to Defendant's Attorney via Federal Express on July 8, 2004 and delivered on July 9, 2004 (Confirmation attached)

## STATEMENT OF SERVICE FEES

TRAVEL	SERVICES	TOTAL
<u>Federal Express 9.91</u>	<u>50.00</u>	<u>59.91</u>

## DECLARATION OF SERVER

I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.

Executed on 7/13/04  
Date

Signature of Server

Dority and Manning, P.A., One Liberty Square  
Address of Server  
55 Beattie Place, Suite 1600  
Greenville, SC 29601

<sup>1</sup> As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure.

**McNAIR LAW FIRM, P.A.**  
ATTORNEYS AND COUNSELORS AT LAW

D. MICHAEL HENTHORNE  
mhenthorne@mcnair.net

500 SOUTH McDUFFIE STREET  
ANDERSON, SOUTH CAROLINA 29621

[www.mcnair.net](http://www.mcnair.net)

POST OFFICE BOX 4088  
ANDERSON, SOUTH CAROLINA 29622  
TELEPHONE (864)226-1888  
FACSIMILE (864)225-8456

July 8, 2004

***Via Facsimile & U. S. Mail***

James M. Bagarazzi, Esquire  
**Dority & Manning, P.A.**  
P. O. Box 1449  
Greenville, SC 29602-1449

RE: *Roylco, Inc. vs. Hill Design, Inc.*  
Case No: 8:04-1397-20

Dear Jim:

Pursuant to our telephone conversation on Tuesday, July 6, 2004, please allow this letter to confirm that I will accept service on behalf of Roylco, Inc. with respect to the action filed in Massachusetts.

I have assumed responsibility for the above-reference matter, along with Rita McKinney of our Greenville office. If you would, please direct all future correspondence and other documents to my attention.

I look forward to working with you.

Very truly yours,

McNAIR LAW FIRM, P.A.

  
D. Michael Henthorne

DMH:cce

cc: Mr. Perry Voisin  
Rita McKinney, Esquire

WELLINGTON M. MANNING, JR.  
JULIAN W. DORITY  
JAMES M. BAGARAZZI  
RICHARD M. MOOSE  
STEPHEN E. BONDURA  
TIMOTHY A. CASSIDY  
JEFFREY M. KARMILOVICH  
TIM F. WILLIAMS  
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JASON W. JOHNSTON  
NEAL P. PIEROTTI  
BERNARD S. KLOSOWSKI, JR.  
STEVEN R. LE BLANC  
DAVID M. SIGMON  
TARA E. AGNEW  
NEIL M. BATAVIA  
CHRISTINA MANGELSEN\*  
HARRY E. MOOSE, JR.\*  
JENNIFER L. VAN DER HORST\*

\*PATENT AGENT

**DORITY & MANNING**  
ATTORNEYS AT LAW, P.A.

ONE LIBERTY SQUARE  
55 BEATTIE PLACE, SUITE 1600  
GREENVILLE, SC 29601 USA

TELEPHONE (864) 271-1592  
FACSIMILE (864) 233-7342  
www.dorty-manning.com

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MAILING ADDRESS  
P.O. BOX 1449  
GREENVILLE, SC 29602 USA

July 8, 2004  
(VIA FEDERAL EXPRESS)

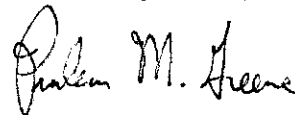
D. Michael Henthorne, Esq.  
McNair Law Firm  
500 South McDuffie Street  
Greenville, SC 29621

Re: Hill Design, Inc. v. Roylco, Inc. Case No: 3:04-cv-30100

Dear Mr. Henthorne:

Per your July 8, 2004 letter to Mr. Bagarazzi confirming your July 6, 2004 telephone conversation in which you stated that you would accept service on behalf of Roylco with respect to the action filed in Massachusetts, we are enclosing herewith an original Summons and Complaint.

Very Truly Yours,



Prudence M. Greene,  
Paralegal

PMG

Enclosures: as stated

cc: James M. Bagarazzi, Esq. (w/o enclosures)



FedEx Express  
Customer Support Trace  
3875 Airways Boulevard  
Module H, 4th Floor  
Memphis, TN 38116

U.S. Mail: PO Box 727  
Memphis, TN 38194-4643  
  
Telephone: 901-369-3600

7/13/2004

Dear Customer:

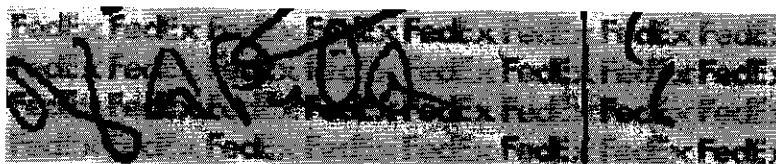
Here is the proof of delivery for the shipment with tracking number **792039823621**. Our records reflect the following information.

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**Delivery Information:**

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**Signed For By:** G.APILLO



**Delivery Location:** 500 SOUTH MCDUFFIE STREET

**Delivery Date:** July 9, 2004

**Delivery Time:** 0938

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**Shipping Information:**

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**Tracking No:** 792039823621

**Ship Date:** July 8, 2004

**Recipient:**

MICHAEL HENTHORNE  
MCNAIR LAW FIRM, P.A.  
500 SOUTH MCDUFFIE STREET  
ANDERSON, SC 29621  
US

**Shipper:**

PRUDENCE M. GREENE  
DORITY & MANNING ATTORNEYS  
55 BEATTIE PL STE 1600  
GREENVILLE, SC 296012131  
US

**Shipment Reference Information:**

HDN-1-TM-L

Thank you for choosing FedEx Express. We look forward to working with you in the future.

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**Tracking number** 792039823621  
**Signed for by** G.APILLO  
**Ship date** Jul 8, 2004  
**Delivery date/time** Jul 9, 2004 9:38 am

**Reference number** HDN-1-TM-L  
**Delivered to** Receipt/Frnt desk  
**Delivery location** ANDERSON SC  
**Service type** Standard Envelope

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Jul 9, 2004	9:38 am <b>Delivered</b>	ANDERSON SC	
	8:42 am On FedEx vehicle for delivery	ANDERSON SC	
	8:18 am Arrived at FedEx Destination Location	ANDERSON SC	
	7:46 am Left FedEx Ramp	GREER SC	
	4:05 am Left FedEx Sort Facility	MEMPHIS TN	
Jul 8, 2004	12:19 am Left FedEx Sort Facility	MEMPHIS TN	
	9:04 pm Arrived at FedEx Ramp	GREER SC	
	8:24 pm Left FedEx Origin Location	GREENVILLE SC	
	6:26 pm Picked up by FedEx	GREENVILLE SC	

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Enter your email, submit up to three email addresses (separated by commas), add your message (optional), and click **Send email**.

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